



## MEMORANDUM

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director  
Parks and Recreation Department

DATE: October 21, 1992

SUBJECT: Construction of two-slip boat dock, at 4200 Watersedge Cove  
File # SP-92-0376DS

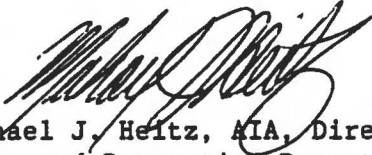
A request has been received from Signor Enterprises Inc., on behalf of Bill Gorman, to construct a covered two-slip boat dock, at 4200 Watersedge Cove.

Parks and Recreation Department staff have reviewed the project and the site plans meet the requirements of Article VI, Division 4, Part E (Requirements for the Construction Of Boat Docks) of the Land Development Code (including all amendments).

### Recommendation

I recommend approval of the request to construct a a covered two-slip boat dock at 4200 Watersedge Cove, in accordance with Site Plan # SP-92-0376DS.

If I can provide you with any additional information, please contact me.

  
Michael J. Heitz, AIA, Director  
Parks and Recreation Department

MH:PM

TO: COMMENT DUE DATE: 21-OCT-199  
 FROM: SITE PLAN REVIEW DIVISION/PLANNING DEPT  
 SUBJECT: DEVELOPMENT PERMIT ONLY SP-92-0376DS

PROJECT: GORMAN BOAT DOCK

4200      WATERSEDGE COVE

CASE MANAGER: OSKOUIPOUR, JAVAD      499-2639  
 SECONDARY: ~~HOAGLUND, REITH~~      ~~499-2639~~

APPLICATION DATE: 13-OCT-1992

ZIP: 78731      FULL PURPOSE  
 WATERSHED: Lake Austin      RURAL WATER SUPPLY      SUBJ TO COMP WATERSHED :

OWNER: GORMAN, WILLIAM H.      (512)446-733  
 4703 BALCONES DRIVE AUSTIN, TX 78731

CONTACT: WILLIAM H. GORMAN  
 AGENT: SIGNOR ENGERPRISES, INC.      (512)327-6064  
 5446 HWY. 290 AUSTIN, TX 78735  
 CONTACT: RUSTY SIGNOR

SITE PLAN AREA: 0.000 ACRES ( 0 SQ FT)  
 UTILITY OR STORM SEWER LENGTH: 0 LINEAR FEET

EXISTING ZONING: SF-3  
 EXISTING USE: BOATDOCK

TRACT      ACRES/SQ FT      PROPOSED USE

RELATED CASE NUMBERS (IF ANY):

OTHER PROVISIONS:  
 QUALIFIES AS A SMALL PROJECT  
 TIA IS NOT REQUIRED  
 FEE RECEIPT #: 1186511

SUBD NAME: WATERSEDGE  
 BLOCK/LOT: BLK I LOT 34  
 PLAT BOOK/PAGE: B 84 PG 64-C  
 LEGAL DESCRIPTION:  
 BLOCK I, LOT 34 OF WATERSEDGE SUBDIVISION

PARCEL #:

VARIANCES/WAIVERS, BONUSSES:

**Date:** October 6, 1992  
**To:** City of Austin  
**From:** Signor Enterprises Inc.  
**Subject:** Summary letter for the Gorman boat dock at 4200 Watersedge Cv.

This project is in the Lake Austin Watershed as the average lake level at the proposed location is 492.8.

No impervious cover is to be proposed.

• All of the project will be constructed by a shore based crain and pile driver, so no trees will be cleared.

The construction process will be: first the steel pilings are driven, the lower deck will be built then the roof structure.

Thank you,

A handwritten signature in cursive script that reads "Rusty Signor". The signature is written in dark ink and is positioned above the printed name.

Rusty Signor

Date: October 6, 1992  
To: Director Parks and Recreation Department  
From: Signor Enterprises Inc.  
Subject: Dock permit, legal address: Lot 34, Section I, Waters Edge Subdivision.

We are requesting approval of our residential boat dock plans at 4200 Watersedge Cove for construction in November 1992.

The slips are to be built from steel pilings.

This additional construction should not adversely affect any shoreline erosion, drainage, or other environmental concerns.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Rusty Signor".

Rusty Signor





## MEMORANDUM

**TO:** Parks and Recreation Board

**FROM:** Michael J. Heitz, AIA, Director  
Parks and Recreation Department

**DATE:** October 21, 1992

**SUBJECT:** Amendments to the Land Development Code.  
Part E: Requirements for Construction of Boat Docks.  
Prohibition of fencing that extends into the water.

At the September 22, 1992 Parks and Recreation Board meeting, unanimous approval was given to the motion from the Navigation Committee to recommend that no fences be allowed to extend into Lake Austin due to the navigation and life safety concerns.

An amendment to the relevant section of the Land Development Code has been drafted for review by the Law Department and subsequent approval by the City Council.

### Recommendation

I recommend that the following amendment be made to Part E: Requirements for Construction of Boat Docks:

1. Section 13-2-790 Jurisdiction:

- \* ADD "Fence means fence or similar construction and shall include but is not limited to walls, screens, and barriers."
- \* ADD "Shoreline means the location where the edge of the water of the lake, at normal pool elevation, meets the land."

2. Section 13-2-795 Regulation:

- \* ADD to (1) "and life safety." after "...hazard to navigation".


- \* ADD new subsection 13-2-795(1)(A):

No fence shall extend into the water beyond the shoreline.

- \* ADD new subsection 13-2-795(1)(B):

All existing fences that extend beyond the shoreline of Lake Austin, Town Lake or Lake Walter E. Long shall comply with the requirements of subsection 13-2-795(1)(A) by not later than December 31, 1993.

If I can provide you with any additional information, please contact me.



Michael J. Heitz, AIA, Director  
Parks and Recreation Department

MJH:pm

(1) A master contour map of all of the Hill Country Roadway Corridors indicating all proposed and approved land uses.

(2) A master file of all site plans for the Hill Country Roadway Corridors including all submitted site plans whether ultimately approved, disapproved or withdrawn.

(3) A master map showing all specific existing or potential scenic vistas, scenic overlooks, and the like, as identified by the Department of Planning and Development and by the scenic view analysis.

#### **§ 13-2-785 WAIVERS OF HILL COUNTRY ROADWAY SITE DEVELOPMENT REQUIREMENTS.**

The Planning Commission may waive one or more of the specific requirements applicable to sites located in a Hill Country Roadway Corridor upon a showing by the applicant that the Hill Country Roadway Regulations impose an undue hardship on the tract due to its peculiar configuration, topography, or location, or that the proposed project demonstrates the use of highly innovative architectural, site planning, or land use techniques. The Commission may approve any waiver to the minimum extent necessary to allow the project to be constructed. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver granted, will be as good or better than a project developed in compliance with the Hill Country Roadway Corridor Regulations in terms of environmental protection, aesthetic enhancement, land use compatibility, and traffic considerations. The grant or denial of a waiver by the Commission pursuant to this section may be appealed to the Council.

#### ***PART E: Requirements for Construction of Boat Docks***

#### **§ 13-2-790 JURISDICTION.**

**DEVELOPMENT** has the same meaning as signed in § 13-1-22 and shall further include the alteration or improvement of a shoreline, bed, bank or floodplain of a waterway.

**NORMAL POOL LEVELS** means the elevation above sea level for the following bodies of water respectively:

Lake Austin. 492.8 feet.

Town Lake. 429.0 feet.

Lake Walter E. Long. 554.5 feet.

**RESIDENTIAL DOCK** means a dock, wharf, pier, float, island or other similar structure erected, installed, placed, used or maintained along the shoreline of Lake Austin, Town Lake, or Lake Long for the purpose of providing a stationary landing for fishing or swimming or for the anchoring, mooring, housing, or storing of not more than one vessel.

(Am. Ord. 891214-O, eff. 12-24-89)

#### **§ 13-2-791 PERMIT REQUIRED FOR BOAT DOCK CONSTRUCTION.**

(a) It is unlawful for the owner or occupant of any property, or for any other person in connection with said property to develop, erect, construct, or structurally alter, or cause, direct or authorize the development, erection, construction, or structural alteration of any dock, wharf, pier, float, island, or other similar structure in or along the shores of Lake Austin in the area below a contour elevation of 504.9 feet above mean sea level, or in or along the shores of Town Lake in the area below a contour elevation of 435 feet above mean sea level or in or along the shores of Lake Long, without first obtaining a permit authorizing such development, erection, construction, or structural alteration.

(b) The Building Official, as well as the Director of the Parks and Recreation Department, shall have the authority to place an identification or registration tag on any such dock, wharf, pier, float, island, or other similar structure subject to the provisions of this article as is necessary and appropriate. It shall be unlawful to remove, or cause to be removed any such identification tag affixed by such authority.

(c) Any permit obtained under this section shall be prominently displayed at the construction site at all times prior to final inspection and approval by the Building Official.



(d) The Building Official and the Director of the Parks and Recreation Department shall be authorized to jointly and severally implement and enforce all the provisions of this Part.

(Am. Ord. 891214-O, eff. 12-24-89)

### **§ 13-2-792 STRUCTURAL REQUIREMENTS.**

(a) All structures erected, constructed or structurally altered pursuant to a permit issued pursuant to this Part shall comply with the requirements of § 13-8-1 (Building Code) of this Code where applicable, and shall be well braced to withstand pressure of wind and water when boats may be tied to any such structure.

(b) Residential docks. All timber pilings and bracing below water; exposed timber structural members out of the water, such as decking, roof timbers, and the like; and structural members within a water-tight enclosure shall be constructed according to Section 2516(c) of the Building Code of the city and the Building Criteria Manual.

(c) Marinas. All piers or pilings in the water shall be constructed according to Section 2516(c) of the Building Code of the city and the Building Criteria Manual.

(d) All floating structures shall be supported by means of solid displacement flotation devices with durable nonferrous protective coverings. The flotation material shall be securely affixed to the structure and shall be capable of withstanding prolonged exposure to wave action and weather.

(e) All materials used for the construction of retaining walls, bulkheads and other erosion protection devices shall be stone (stacked or natural rock rip-rap), concrete, steel (pilings or walings), or aluminum. No smooth vertical surfaces shall be permitted on the main body of any lake. All surfaces of walls and bulkheads constructed on the main body of any lake shall be designed to minimized wave return and reduce wave action.

(f) Upon a determination by a city official or employee that any such structure subject to the requirements of this Part has become or is in imminent danger of becoming structurally unsound, the building official shall take action to declare the structure a

hazard and to abate such hazard by following procedures set forth in Chapter 13-8, Article X, at the expense of the owner, and shall be authorized to impose a lien on the property affected for the collection of such expense.

(Am. Ord. 891214-O, eff. 12-24-89)

### **§ 13-2-793 LIGHTING AND ELECTRICAL REQUIREMENTS.**

(a) Every structure for which a permit is required by the provisions of this Part shall be lighted in the manner provided in subsection (b) of this section, and in conformance with the Electrical Code requirements of § 13-8-5.

(b) Any structure described in subsection (a) of § 13-2-791 which extends more than eight feet from the shoreline, except as set out in paragraph (8) of this subsection, shall be continuously lighted during the period after sunset and sunrise each day with amber lights as follows:

(1) Structures extending more than eight feet, but less than 30 feet from the shoreline, measured perpendicular to the shoreline, and which are less than 25 feet long measured parallel to the shoreline, shall be required to have one light station. The light station shall be located on the side of the structure which is farthest from, and parallel to, the shoreline, and at the end so as to be visible to all properly approaching watercraft.

(2) For all other structures with any dimension larger than those described above, a minimum of one light station shall be required along each side of the structure, except for that side of the structure facing the shoreline. Upon a determination by the Director of the Department of Planning and Development that the structure may be a navigational hazard between sunset and sunrise, the Director shall require additional lighting to eliminate such hazard. The light stations required by this section shall be located as follows:

(A) If the dimensions measured perpendicular to the shoreline:

(1) Longer than 30 feet, but not more than 50 feet: one light station at the midpoint of the length between the shoreline and the end of the



structure farthest from the shoreline.

(2) Longer than 50 feet: light stations shall be located at points no more than 25 feet from any other light stations and no closer than eight feet to the shoreline.

(B) In the dimension parallel with the shoreline:

(1) Less than 25 feet long: one light station on the side of the structure farthest from and parallel to the shoreline, and located at the end so as to be visible to all properly approaching watercraft.

(2) Longer than 25 feet but less than 50 feet long: one light at each end of the structure on the side farthest from the shoreline.

(3) 50 feet or longer: one light station at each end of the structure on the side farthest from the shoreline and light stations located so that they are not more than 25 feet from any other light station.

(3) Each light station required by this section shall have a two-bulb fixture, with two working light bulbs rated between 7½ and 25 watts. Light bulbs or bulb covers shall be amber, so that no white light radiates from the fixture.

(4) Light fixtures shall be wired with a switch operated by a photoelectric cell so that the lights will operate automatically during the hours the structure is required to be lighted by this section.

(5) That portion of the wiring which is on the structure shall be enclosed in rigid conduit. Such conduit may be metallic or nonmetallic, or weatherproof flexible conduit with appropriate fittings.

(6) Weatherproof lamp holders and junction boxes shall be used to install the light fixtures for each light.

(7) The lighting requirements set forth in this section shall not be deemed to prohibit use of additional lights so long as the minimum requirements are met; however, no lights other than amber navigation lights shall be installed on any such structure which shall cast beams of light outward from the structure.

(8) The lighting requirements of this section shall not apply to structures located on inlets or sloughs, except that the lighting requirements shall apply to such structures located on Bee Creek and on Bull Creek.

(9) Structures which require navigation lights under section 13-2-793(a) shall provide temporary navigation lights that meet the requirements of this Code during construction, until the permanent navigation lights installed on the structure are working.

(10) All boat docks, wharves, piers, floats, islands or other similar structures in or along the shores of Lake Austin, Town Lake or Lake Walter E. Long shall comply with the above-stated requirements by not later than April 30, 1991.

(11) If it is found that the navigation light stations on a structure do not comply with the requirements of this section, the building official or such other city official as may be authorized shall post notice on the structure and shall notify the owner by mail of the violation. The owner of the premises in which a structure which has been found to be in violation of this section shall be, upon conviction, guilty of a misdemeanor and shall be fined not less than \$200. (Am. Ord. 891214-O, eff. 12-24-89)

#### § 13-2-794 APPLICATION.

(a) No application for a permit shall be approved to build more than two residential docks, piers, wharfs, floats, islands or other similar structures on a single lot zoned MF-1 Residential or more restrictive. A residential dock, wharf, pier, float, island, or other similar structure is defined as any structure erected, installed, placed, used or maintained along the shore line of Lake Austin, Town Lake, or Lake Walter E. Long for the purpose of providing a stationary landing for fishing, swimming, or the anchoring, mooring, housing, or storing of not more than a single vessel. The prohibition of this subsection shall not apply if:

(1) (A) The lot was platted and recorded prior to August 26, 1976; and

(B) Perpetual rights to use the water frontage of the lot were granted or conveyed to one or more owners of other lots in the subdivision prior to June 23, 1979; or,



(2) The Parks and Recreation Board has approved a site plan submitted by the applicant which clusters the boat docks on one or more lots in the subdivision.

(b) When a permit is required by this Part and is not obtained before commencement of construction or alteration of any structure, the required fee shall be increased by an amount established by ordinance. Payment of such additional fee shall not relieve any person from complying with the requirements of this Code, nor from any of the penalties prescribed herein. (Am. Ord. 891214-C, eff. 12-24-89)

### § 13-2-796 REGULATIONS.

No site plan shall be approved which does not comply with the following regulations; no city official shall approve for final inspection any structure which does not conform to the following regulations under a permit issued pursuant to this Part:

(1) No dock, wharf, pier, float, island, piling wall, entrance to a man-made lagoon or recessed boat dock or other similar structure shall be erected or altered to extend such a distance into Lake Austin, Town Lake, or Lake Walter E. Long that it constitutes a hazard to navigation. The Director shall determine, after receiving the recommendation of the Parks and Recreation Board, at what distance a proposed structure can be built without constituting a hazard. No structure shall extend into any lake or waterway more than 30 feet, unless the Parks and Recreation Board, having determined that a hazard will not thereby be created, approves the construction to a distance greater than 30 feet.

(2) Except for retaining walls, no structures or development described in the preceding subsection, shall be erected or structurally altered nearer than ten feet to any side property line, unless the Parks and Recreation Board approves the construction or alteration.

(3) Except for retaining walls, no structure or development described in subsection (1) above shall have a width, measured parallel to the shoreline, greater than 20% of the shoreline width of the lot or parcel of land upon which the structure is to be erected unless the Parks and Recreation Board approves the construction and grants a variance from

the requirements of this subsection. The prohibition of this subsection (3) shall not apply if:

(A) 1. The lot was platted and recorded before August 26, 1976; and,

2. Perpetual rights to use the water frontage of the lot were granted or conveyed to one or more owners of other lots in the subdivision before June 23, 1979; or,

(B) The Parks and Recreation Board has approved a site plan submitted by the applicant which clusters the boat docks on one or more lots in the subdivision.

(4) No site plan shall be approved in which the number of boat docks is more than twice the number of lots in the subdivision with lake frontage on Lake Austin or Town Lake.

(5) Notwithstanding the preceding paragraph above, for applications relating to subdivision in which a common area has lake frontage on Lake Austin or Town Lake and in which perpetual rights to use the water frontage of the common area have been granted or conveyed to one or more of the owners of other lots in the subdivision, the total number of boat docks to be allowed within all common areas of the subdivision shall not exceed the total number of lots in the subdivision.

(6) Marinas and common areas.

(A) *Shoreline Setbacks.* All permanent structures, including parking lots, shall be set back a minimum of 100 feet from, and parallel to, the normal pool level for the lake. This subsection shall not apply to approved boat docks and combined storage areas on the water's edge.

(B) *Parking.* Vehicle parking shall be provided at the rate 0.7 parking spaces per boat slip within the marina.

(C) *Sanitation.* Sanitation facilities complying with all applicable ordinances and regulations shall be provided for all marina and picnic areas. Septic tanks and sewage holding tanks shall not be located within 100 feet, as measured horizontally and perpendicular to the shoreline of the normal pool level for the lake. Installations with ten or more boat slips shall provide



permanent sanitation facilities which comply with all applicable ordinances and regulations.

(D) *Solid waste.* On-site facilities shall be provided for the collection of any garbage and trash that might be generated at the marina or common area and shall be removed in a timely manner by the operator of the facility. At least one trash can with a capacity of 32 gallons or larger shall be provided for every four picnic units and for every four boat slips.

(7) No business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares, and merchandise, and no living quarters of any character shall be erected on any pier or similar structure extending into or above Lake Austin, Town Lake, or Lake Walter E. Long, except upon a license agreement approved by the Council. Any such structure which may be built under a license agreement shall meet the lighting requirements of Section 13-2-793. The Parks and Recreation Board shall make recommendation to the Council on all license agreements to be issued under this subsection. (Am. Ord. 891214-O, eff. 12-24-89)

#### **§ 13-2-796 DOCKS EXEMPT FROM CITY LICENSING REQUIREMENTS.**

A dock constructed in accordance with the regulations in this Part and § 13-8-1 and located within the boundaries of a public drainage easement along Lake Austin, Town Lake, or Lake Walter E. Long is deemed not to interfere with the public's rights in the drainage easement and is authorized without the necessity of obtaining a license agreement from the city. Nothing in this section shall be construed to limit the review of a site plan for construction of a dock, wharf, pier, float, island, or other similar structure, as such review is established by this Land Development Code or other ordinance.

#### **§ 13-2-797 FIRE PROTECTION.**

Marinas and marine fuel facilities (service stations) shall provide adequate fire protection recommended and approved by the Fire Chief of the Austin Fire Department. Such recommendations shall be in accordance with the Fire Code and the National Fire Protection Association Standard 303, Marinas and

Boatyards (as amended).  
(Am. Ord. 891214-O, eff. 12-24-89)

#### **§ 13-2-798 ENVIRONMENTAL PROTECTION.**

(a) Marine fuel facilities (service stations) shall comply with the requirements of Chapter 9-10, Article V of the City Code (the Hazardous Materials and Registration Ordinance) and shall be designed, maintained, and operated in a manner which prevents spillage or leakage of fuel or petroleum products into the water.

(b) All watercraft maintenance and repair shall be performed in a manner which prevents discharge of fuel, oil, or other pollutants into the water.  
(Am. Ord. 891214-O, eff. 12-24-89)

### ***DIVISION 2. NONCOMPLYING STRUCTURES***

#### **§ 13-2-820 NONCOMPLYING STRUCTURES.**

A noncomplying structure may be continued and may be enlarged, maintained, repaired, or altered. Except as provided in § 13-2-823, no such enlargement, maintenance, repair, or alteration shall create an additional noncompliance or increase the degree of existing noncompliance of all or any part of the structure. No building, structure, or property is made noncomplying solely as a result of a change in the use, zoning or development of adjacent property. No building or structure which complied with the Zoning Regulations in effect immediately prior to March 1, 1984, shall be deemed to have become or shall become noncomplying due to the passage of Ordinance 840301-S.

#### **§ 13-2-821 EXISTING NONCOMPLYING STRUCTURES: DAMAGE OR DESTRUCTION.**

Nothing in this section prevents the restoration within a period of 12 months of a noncomplying building or structure damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind, or the continuance of any use therein immediately prior to such damage or destruction. Any property which did not comply with



## MEMORANDUM

**TO:** Parks and Recreation Board

**FROM:** Michael J. Heitz, AIA, Director  
Parks and Recreation Department

**DATE:** October 21, 1992

**SUBJECT:** Cave Management Agreement  
Texas Cave Management Association

The Parks and Recreation Department has a number of properties within its jurisdiction, particularly in the southwest part of Austin, that contain caves and sinkholes. In their current condition, most of these caves are easily accessible but should not be accessed by those inexperienced in caving techniques. In addition, there is the possibility that these caves are recharge features into the Edwards Aquifer and that they could contain species that are included on the Federal Endangered Species List.

To overcome the problems caused by unauthorized access and possible destruction of the cave habitats, various methods have been used in the past, ranging from constructing steel barriers at the cave entry to filling in the caves with rocks. These options would not meet the requirements of the US Fish and Wildlife Department for protection of cave dwelling species nor the requirements of the Texas Water Commission and the Barton Springs/Edwards Aquifer Conservation District for protection of aquifer recharge features.

In order to properly and fully protect the caves and to provide access to the caves to appropriate individuals, consideration has been given to entering into a cave management agreement with the Texas Cave Management Association.

The TCMA is a non-profit Texas corporation dedicated to the protection of Texas caves and cave life. The TCMA's membership includes acknowledged scientific experts in the fields of cave and karst ecology and endangered species biology.

The TCMA has developed a cave management plan and is negotiating similar management agreements with the Texas Parks and Wildlife Department.

A copy of the proposed Cave Management Agreement with the Texas Cave Management Association is attached.

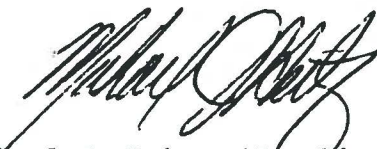
Cave Mangement Contracts for individual caves will be added to the Agreement as appendices as needed. These contracts will address the specific mangement concerns of the individual caves.

The first appendix for Midnight Cave, located within Slaughter Creek Metropolitan Park is also attached. Two other caves that, because of impending park development, will be considered for addition as appendices in the near future, are District Park Cave, in Dick Nichols District Park, and Maple Run Cave in the Goat Cave Preserve.

#### **Recommedation**

I recommend that the proposed Cave Management Agreement with the Texas Cave Management Association be approved and forwarded to the City Council for their consideration and approval.

If I can provide you with any additional information, please contact me.



Michael J. Heitz, AIA, Director  
Parks and Recreation Department

MJH:pm

Attachments



## **CAVE MANAGEMENT AGREEMENT**

between the

**TEXAS CAVE MANAGEMENT ASSOCIATION and the CITY OF AUSTIN**

### **I. RECITALS**

This agreement, entered into this the \_\_\_\_ day of \_\_\_\_, 1992, is between the City of Austin (City) and the Texas Cave Management Association (TCMA).

**WHEREAS**, caves are a valuable natural resource which have scientific, environmental, recreational, educational, and scenic value; and

**WHEREAS**, all contents of a cave, its speleotherms, life forms, physical environment, cultural, paleontological, and other deposits are significant to its value and are to be protected; and

**WHEREAS**, the City of Austin (Parks and Recreation Department) has cave resources on land that are within its jurisdiction, anticipates acquiring more cave resources from time to time, and is the steward of these resources; and

**WHEREAS**, the City of Austin recognizes the need to protect and manage these valuable natural resources since they are unique, non-renewable and easily destroyed or permanently damaged; and recognizes the need to allow appropriate scientific, recreational and educational activities to take place within these caves; and

**WHEREAS**, the City of Austin recognizes its responsibility to ensure the safety of its citizens using its parkland and cave resources; and

**WHEREAS**, TCMA, a non-profit Texas Corporation, is dedicated to the protection of Texas caves and cave life;

**NOW, THEREFORE**, it is understood that this Cave Management Agreement authorizes the TCMA, on behalf of the City, to monitor and manage these cave resources.

### **II. TERM**

The term of this Agreement shall be for a period of five (5) years from the date of execution. The Agreement may be extended for additional periods of three (3) years upon the consent of both parties. Six months prior to the expiration of the initial term the TCMA and the

City shall re-assess the benefits of the Agreement, make the necessary amendments to its terms, and determine whether to enter into further agreements.

### **III. RESPONSIBILITIES**

#### **A. CITY OF AUSTIN**

The City of Austin shall:

1. Authorize access by the TCMA to specified cave resources which occur on land within the jurisdiction of the City of Austin (Parks and Recreation Department).
2. Provide available city services, necessary to complete cave maintenance projects authorized by the City.
3. Consult with the TCMA on cave related projects.
4. Cooperate with TCMA on a cave by cave basis. Specific Cave Management Contracts may be made appendices to this Agreement upon mutual approval.

#### **B. TEXAS CAVE MANAGEMENT ASSOCIATION**

The TCMA shall provide the following services to the City:

1. Inventory of cave resources.

The inventory of cave resources shall include, but not be limited to, exploration, cave survey, mapping work, and biological investigations. The inventory of cave resources shall be compiled into a report and a copy of the report submitted to the City.

2. Develop cave management plans.

Cave management plans shall be developed, based on the inventory of cave resources, for specific caves on a case by case basis. Each plan shall be developed by TCMA and approved by the City. Each cave management plan shall include, but not be limited to, cave evaluation, cave conservation, access procedures, visitation procedures, and safety guidelines. As part of the Cave Management Plan, each cave (or caves) shall be classified in accordance with restrictions on entry to the cave. The classification shall take into consideration the skill necessary to access the cave and the protection of the cave resource. Cave management plans shall be in full compliance with all Federal, State and local requirements.

3. Assist other conservation and scientific groups in cave investigations.

Access to caves managed by the TCMA, in accordance with the cave management plan, shall not be unduly restricted. However in order to protect the cave resource and the health and safety of the users, the various conditions and procedures detailed in the specific management plan for the cave are intended to be strictly adhered to.

4. Provide technical assistance to the City of Austin in the installation of cave gates.

To provide controlled access to caves and to protect the cave resource and the health, safety and welfare of the public, cave gates may be installed by the City, with technical assistance from the TCMA, at the entrances to caves.

5. Manage and maintain cave resources.

To protect the cave resources and the public, the caves shall be managed and maintained for the duration of this agreement. Management of the cave shall include, but not be limited to, monitoring and administering the cave, maintenance of the cave gate and cleanup of the cave.

#### IV. INSURANCE

A. TCMA shall carry and maintain in effect liability and property damage insurance with the City of Austin named as an additional insured on the policy. TCMA shall maintain general liability insurance with minimum limits of \$500,000 bodily injury and \$100,000 property damage for each occurrence and \$500,000 comprehensive general liability insurance. Upon the effective date of this Agreement and with the annual renewal of such insurance, TCMA shall provide a current copy of the insurance policy to the City. The City shall have the right to require increased coverages, as reasonably determined by the City's Risk Manager. Loss of insurance coverage by the TCMA shall render this agreement null and void.



## V. TERMINATION

### A. Termination for Failure to Perform

1. Either the City or TCMA may terminate this agreement should the other party fail to perform substantially as agreed through no fault of the other party. Should TCMA fail to properly fulfill its obligations under this Agreement in a timely manner, or if TCMA violates any of the provisions of this Agreement, then the City shall notify TCMA in writing of the specific violation(s) of the contract. TCMA shall have 30 days from receipt of this notice in which to cure any such violation. If the violation cannot reasonably be cured within this 30-day period as determined by the City, and TCMA has diligently pursued such remedies as shall be reasonably necessary to cure such default, then the parties may agree in writing to an extension of the period in which the violation must be cured.

2. If, however, TCMA has not cured the violation within the time provided as specified in the written notice or any extension of such time, then the City, at its sole option, shall have the right to terminate this Agreement. This termination shall be made by sending written notice of termination to TCMA. This "Notice of Termination" shall be effective for all purposes when deposited in the U.S. Mail, postage prepaid, and mailed certified mail, return receipt requested or when hand delivered to the TCMA place of business.

### B. Termination for Convenience

The City may terminate this Agreement for convenience upon six (6) months notice.

## VI. ADMINISTRATION

The Director of the Parks and Recreation Department, or their designee, shall administer this contract on behalf of the City.

## VII. LIABILITY AND INDEMNIFICATION

TCMA shall indemnify and hold harmless the City, its employees, agents against any claims, causes of action, personal injuries, or damages, including, but not limited to, reasonable attorneys' fees from, or in connection with, the negligent acts or omissions of TCMA, or TCMA's agents, employees, contractors, or subcontractors in the execution of its duties set forth herein. TCMA shall at all times be an independent contractor.

**Cave Management Agreement**  
**Page5**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

**City of Austin**

\_\_\_\_\_  
By: Assistant City Manager

**Texas Cave Management Association**

\_\_\_\_\_  
By:

Approved as to form:

\_\_\_\_\_  
By: Raul Calderon  
Assistant City Attorney

**CAVE MANAGEMENT AGREEMENT - APPENDIX A**  
**Cave Management Contract- Midnight Cave**

In accordance with the Cave Management Agreement between the City and TCMA signed on \_\_\_\_\_ 1992, the City and the TCMA have adopted the following requirements for the Cave Management Contract for Midnight Cave.

**A. The City shall:**

1. Provide all material for the construction, re-construction and maintenance of the cave gate.
2. Provide all necessary locks and keys for the cave gate and will replace locks and keys if required. Gate keys will be provided to the City (Parks and Recreation Department) and TCMA (\_\_\_ keys).
3. Refer all requests for entry into the cave to the TCMA.
4. Properly dispose of all trash and debris that has been removed from the cave by the TCMA.

**B. The Texas Cave Management Association shall:**

1. Carry out continuing cave inventory activities and produce an inventory report which shall be submitted to the City within 3 months of the date of this Cave Management Contract being signed.
2. Formulate an effective cave management plan which shall be submitted to the City for approval within 6 months of the date of this Cave Management Contract being signed.
3. Provide a cave gate design necessary to ensure public safety. The gate should deter normal attempts at unauthorized entry, allow the natural passage of air, water, and cave life access and egress to the cave and maintain the natural appearance of the cave area. The cave gate shall meet the current design standards of the US Fish and Wildlife Service for cave gates.
4. Co-ordinate and schedule requests to visit the cave for scientific purposes, in accordance with the access requirements of the cave management plan. The TCMA shall refer to the City all requests for visitation which, in its opinion, should be denied, and shall state the reason why. The City shall have the final right to determine whether the request should be granted or denied.

Cave Management Agreement - Appendix A

Page 2

5. Make every resonable effort to remove the debris that has accumulated within the cave, in particular below the entrance.
6. Assist the City in dealing with requests for public recreational access by making information on caves and caving available.
7. Require all persons who enter the cave through the administration of the TCMA to execute a City of Austin approved waiver of liability. A copy of this waiver will be kept on file at the Park Police, Safety Division.

Executed this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

**City of Austin**

\_\_\_\_\_  
By:

Assistant City Manager

**Texas Cave Management Association**

\_\_\_\_\_  
By:

Approved as to form:

\_\_\_\_\_  
By: Raul Calderon

Assistant City Attorney

**TOWN LAKE CONCESSIONS  
1991-1992 ANNUAL REPORT**

**City of Austin  
Parks and Recreation Department**



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## **I. Introduction**

City of Austin Ordinance No. 890126-P, known as the Town Lake Ordinance, requires that an annual report concerning the status of concessions in Town Lake Park, including the Zilker Park area, be prepared by the Parks and Recreation Department and presented to the Parks Board and the Environmental Board in October. The report shall describe the current concessions in the Park, including operations, sales and revenues for the prior fiscal year, along with any issues or problems that may have arisen. In addition to current concessions, any information regarding new concessions in Town Lake Park shall be presented as well. The Parks and Recreation Board and the Environmental Board shall then make a recommendation to the City Council within 30 days of receipt of the report regarding appropriate concessions in Town Lake Park, the status of existing concessions and the advisability of issuing Request for Proposals (RFP) for any new concessions. The following report represents the third annual review of concessions in Town Lake. Temporary concessions, defined as those involving no permanent facilities and having a contract shorter than one year, are not included in this report. During the last year no proposals for new concessions were reviewed therefore this report does not incorporate any recommendations for issuing RFPs for new concessions (The Carsouel and Wooden Rowboat concessions were initially reviewed in 1990-91).

## **II. Current Concessions**

There are currently seven concessions in Town Lake Park which have contracts of a year or more and have permanent facilities. Four of these concessions are boat related, two provide recreational activities such as train rides and golf, and one serves food and beverages. The four public boat related concessions along with private boat concessions provide a total of 116 boats for rent on Town Lake.

In addition to the seven concessions, the City's agreement with Aqua Festival to conduct the Aqua Festival activities on Auditorium Shores is discussed in the report.

After speaking with each concessionaire, we found that heavy rains caused the most detrimental problems during the 1991-1992 fiscal year. Local rains combined with the opening of the Mansfield Dam floodgates prevented or reduced business for all of the concessionaires. Vandalism continued to be an ongoing problem for each concessionaire as well. Concessionaires in Zilker Park have also been adversely affected by the closing of Barton Springs Pool from March 1992 to July 19, 1992. The closing of the pool drastically reduced park attendance.



These concessions, gross sales, percentage of gross sales paid to the City and revenue paid to the City for fiscal year 1991-92 are shown in the following table:

Concessions	Gross Sales	Commission	Revenue to City	Expiration Date	Extension Options
1. Barton Springs F&D	\$170,309	35%	\$59,608	*	N/A
2. Butler Pitch & Putt	32,930	30%	9,879	*	N/A
(Merchandise Sales)	1,145	30%	342		
3. Lonestar River Boat	171,197	5%	8,560	Nov 9, '93	5 year
4. Texas Rowing	15,709	10%	1,571	Jun 8, '93	None
5. Town Lake Boat Rentals	0*	1000/yr +2%/mo	1,000	Nov 14, '93	None
6. Zilker Canoe Rentals	39,496	11%	4,377	Jun 8, '93	None
7. Zilker Eagle Railroad	178,300	10%	17,830	Apr 30, '94	5 year
(Souvenir Sales)	7,302	10%	729		
<b>Total</b>	<b>\$616,388</b>		<b>\$103,896</b>		

\* Expired - Recommendations to award new contracts for these concessions will be sent to Council in late October 1992.

\*\* Closed due the construction on the First Street bridge.

### III. Concession Proposals

Concession proposals were received during the 1991-92 fiscal year for two new concessions, the carousel and wooden rowboat, and two existing concessions were bid, Barton Springs Food and Drink and Butler Park Pitch and Putt. The activities related to each is discussed below.

#### Carousel and Wooden Rowboat

During their March 26, 1991 meeting the Parks Board decided to consider two concession concepts, the Carousel and Wooden Rowboat, which had been proposed by private entrepreneurs. The concept for a traditional carousel with a Texas theme, was presented by Mr. Robert Simmons to the Parks Board in September of 1991. The other concession under consideration was a wooden rowboat concession proposed by Mr. John Gallagher. Mr. Gallagher's proposal was first presented in 1988 and recommended to Council by both the Parks Board and staff. During this time Council rejected all new concessions, including Mr. Gallagher's, pending completion of the Town Lake Comprehensive Plan and Ordinance.

A public hearing was held on July 23, 1991, concerning the rowboat and carousel concessions. After hearing from several citizens, the Board unanimously passed motions to issue RFPs for the rowboat and the concession. The RFPs for these two concessions were issued on May 4, 1992 with responses due on June 3, 1992. One response, from



Mr. Gallagher, was received for the wooden rowboat. Two responses were received for the carousel with one from Mr. Robert Simmons of Carousel Associates, Ltd. and the other from the Austin Children's Museum.

The carousel went before the City Council on September 10, 1992 with Carousel Associates as the recommended contractor. Council voted to reject the proposal to place the carousel at the location next to the playscape in Zilker Park, although they did direct staff to find a new location for the carousel. Mr. John Gallagher was the only respondent to the rowboat RFP. A recommendation for council action to award the concession to Mr. Gallagher is due to go before the City Council in late October 1992. This concession would add six to twenty four boats for rent on Town Lake over the contract period.

#### **Barton Springs Food and Drink**

The contract for Barton Springs Food and Drink originally expired May 20, 1987. On March 13, 1989 the contract was formally extended through February 1990 until action was taken on the Town Lake Plan. This plan was adopted as an ordinance on December 6, 1989. On March 11 and 26, 1991 the Parks Board held two public hearings soliciting input from the public on changes to this concession. There were no citizens signed up at either meeting and the Parks Board closed the meeting without any action. The RFP for this concession was issued on June 1, 1992 with the deadline for proposals July 8, 1992. One proposal was received from Mr. Willie Rodriguez, the current concessionaire. A recommendation for council action to negotiate a contract for the concession with Mr. Rodriguez is due to go before the City Council in late October of 1992.

#### **Butler Park Pitch and Putt**

The Butler Pitch and Putt contract expired December 31, 1987 with extensions occurring through the present on a month to month basis. On September 24, 1991 the Parks Board included the Butler Pitch and Putt concession in a public hearing; several citizens spoke about problems resulting from errant balls; the concessionaire also addressed the board. The Parks Board tabled the Butler concession issue. The RFP was issued for this concession on June 15, 1992 with responses due back July 15, 1992. Two responses were received. The Kinser Company, a partnership between Mr. Winston Kinser and his son Mr. Albert Kinser, submitted one proposal. Mr. Bill Condra, an independent entrepreneur, submitted the other proposal. Mr. Condra later withdrew his response from consideration on August 27, 1992. A recommendation for Council action to negotiate a contract for the concession with the Kinser Company is due to go before the City Council in late October of 1992.

### **IV. Concessions Status**

The following section of this report will discuss each of the permanent concessions and Aquafest with regard to each concessionaire (location, contract term, general activities, sales, revenues, and commissions for the 1991-1992 fiscal year.

## **Barton Springs Food and Drink**

### **Concessionaire**

Mr. Willie Rodriguez  
5000 Broken Arrow Bow  
Austin, Texas 78745  
(512) 444-5992  
(512) 447-5872

### **Hours of Operation**

10:00 a.m. - 6:00 p.m., seven days a week

### **Location**

Zilker Park - near Barton Springs Pool

### **Sign Posted**

Yes - menu

### **General Activities**

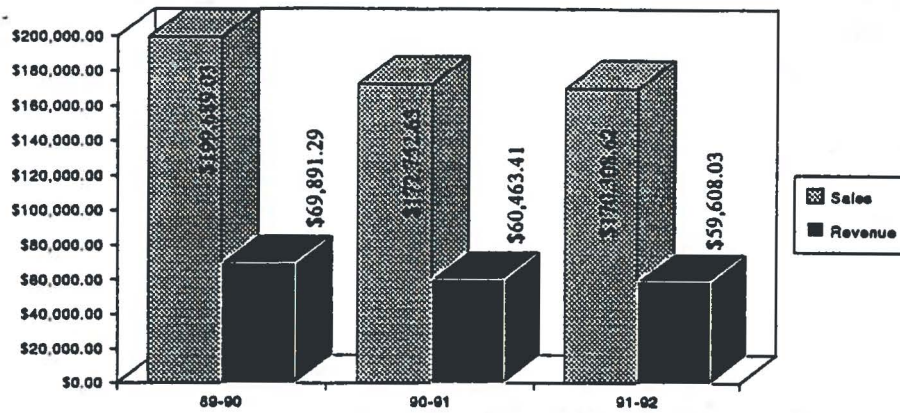
Barton Springs Food and Drink is the City's oldest concession. Mr. Willie Rodriguez of Rodriguez Concession, Inc. has been managing the concession since May 1, 1950. The current contract has expired and RFPs for the concession were issued June 1, 1992 with proposals due July 8, 1992. One proposal was received from Mr. Rodriguez.

The closing of Barton Springs Pool from March 1992 through July 1992, has been very hard on business for this concession. According to Mr. Rodriguez, most of the business is from visitors to the pool and with the pool closing sales have fallen dramatically. This is evident on the graphs below. Graph 1 illustrates the annual sales and revenues for Barton Springs Food and Drink for the past three fiscal years. The decrease in this year's sales is most evident in Graph 2 which shows sales by month for each of the past three years. Sales by month for the past fiscal year are shown in Graph 3. On the page following the graphs, sales and revenue figures for the concession are given.

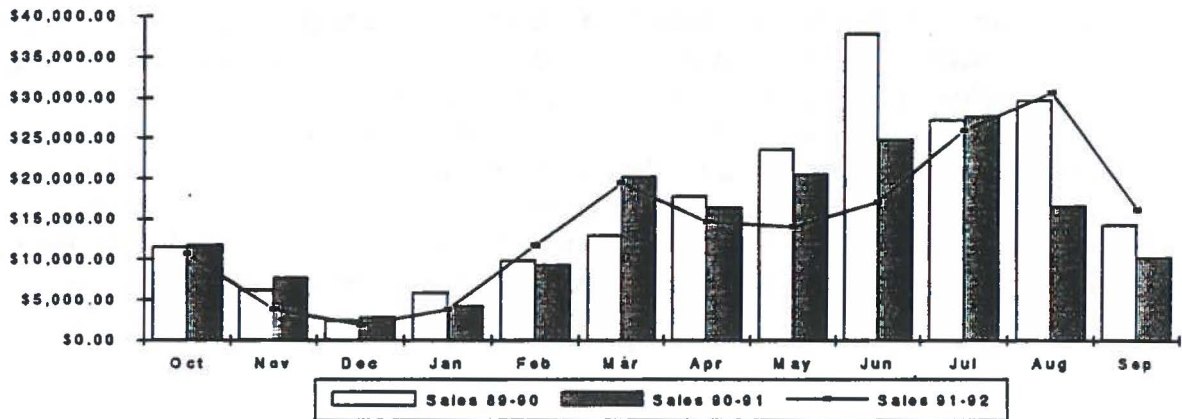


## Barton Springs Food and Drink

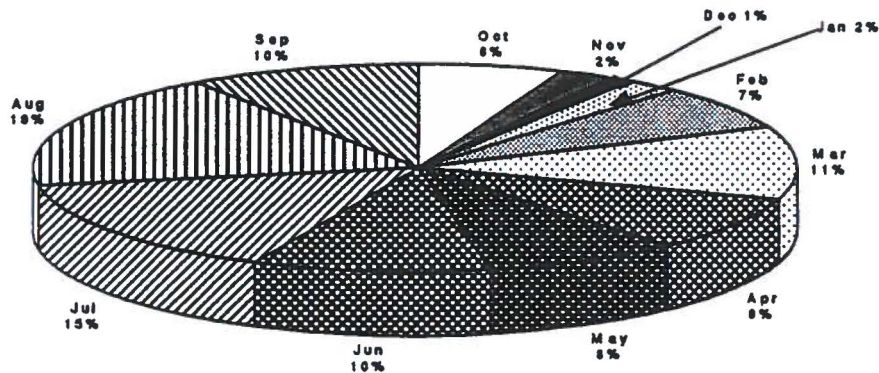
Graph 1: Sales and Revenue



Graph 2: Sales by Month FYs 1989-1992



Graph 3: Sales by Month for FY 1991-1992





**Table 1: Barton Springs Food and Drink Sales**

	<i>Sales 89-90</i>	<i>Sales 90-91</i>	<i>Sales 91-92</i>
<i>October</i>	\$11,537	\$11,757	\$10,700
<i>November</i>	6,169	7,709	3,817
<i>December</i>	2,431	2,888	1,887
<i>January</i>	5,848	4,192	3,802
<i>February</i>	9,837	9,315	11,770
<i>March</i>	12,997	20,250	19,471
<i>April</i>	17,852	16,391	14,666
<i>May</i>	23,660	20,565	14,040
<i>June</i>	37,939	24,866	17,111
<i>July</i>	27,316	27,842	26,040
<i>August</i>	29,804	16,681	30,774
<i>September</i>	14,299	10,298	16,231
<b>Total</b>	<b>\$199,689</b>	<b>\$172,754</b>	<b>\$170,309</b>

**Table 2: Barton Springs Food and Drink Revenue to the City**

	<i>Rev. 89-90</i>	<i>Rev. 90-91</i>	<i>Rev. 91-92</i>
<i>October</i>	4,038	4,115	3,745
<i>November</i>	2,159	2,698	1,336
<i>December</i>	851	1,011	661
<i>January</i>	2,047	1,467	1,331
<i>February</i>	3,443	3,260	4,119
<i>March</i>	4,549	7,087	6,815
<i>April</i>	6,248	5,737	5,133
<i>May</i>	8,281	7,198	4,914
<i>June</i>	13,279	8,703	5,989
<i>July</i>	9,561	9,745	9,114
<i>August</i>	10,432	5,838	10,771
<i>September</i>	5,005	3,604	5,681
<b>Total</b>	<b>\$69,891</b>	<b>\$60,463</b>	<b>\$59,608</b>

## **Butler Pitch and Putt**

### **Concessionaire**

Mr. Winston Kinser  
2600 Stratford Drive  
Austin, Texas 78703  
(512) 327-0761

### **Location**

201 Lee Barton Drive  
(512) 477-9025

### **Hours of Operation**

8:30 AM until dark, seven days a week

### **Sign Posted**

Yes

### **General Activities**

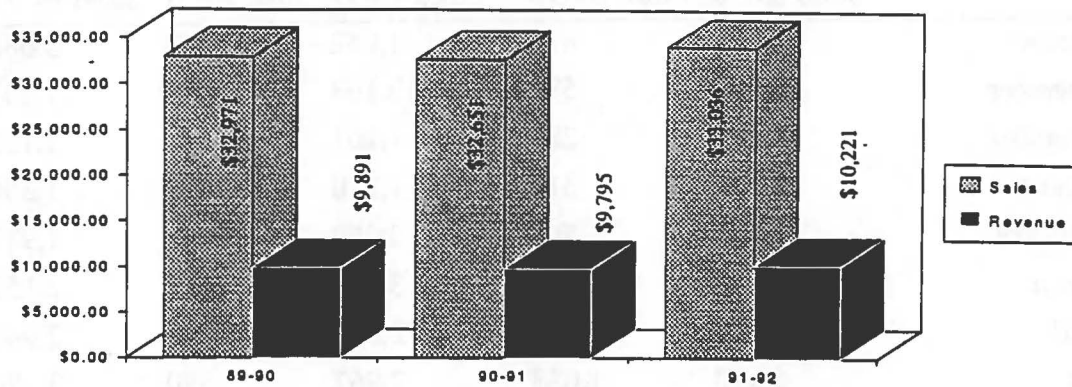
Butler Pitch and Putt offers "par three" short irons golf to participants of all ages. The course was designed by the current concessionaire, Mr. Winston Kinser, and his brother in 1949. Opened in 1950, Butler Pitch and Putt is one of the City's oldest concessions. The current contract has expired, Requests for Proposals for the new contract were issued in June, and a recommendation to negotiate a new contract with the Kinser family will be presented to Council in late October 1992.

According to Mr. Kinser, the heavy rains this year have affected sales not only on the day of the rains but also on the following few days since many people do not like to play in mud. A line of pine trees has been planted along the Lee Barton Drive side of the course to serve as a buffer against flying balls headed into the street. Oleanders have been planted along the Riverside Drive side of the course to serve the same purpose. A fence may have to be installed along this side as well until the oleanders are large enough to block most flying balls. However, Mr. Kinser points out that the trees and bushes are much more aesthetically pleasing to passersby.

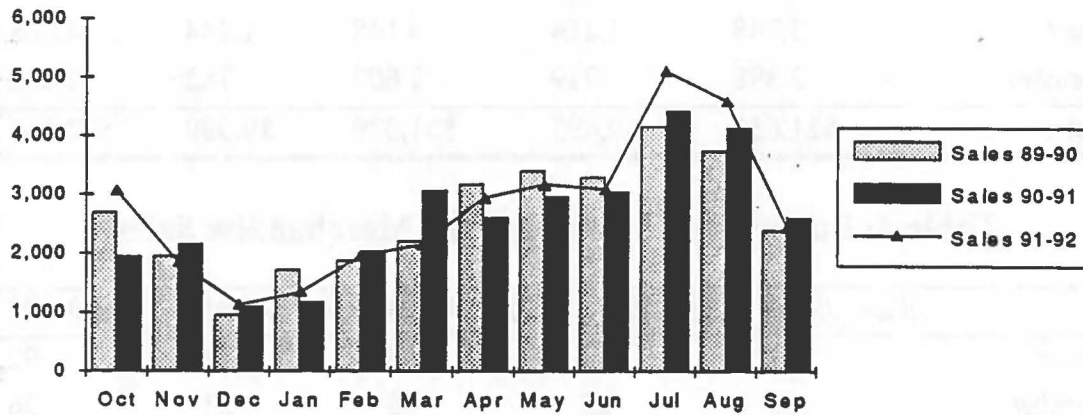
Revenues for Butler Pitch and Putt stem from two sources: golf fees and merchandise sales. The revenues of each source are combined to form gross sales. The price per round is \$3.75 for the first round, \$3.25 for the second, and \$2.25 for the third. Related merchandise, such as balls and tees, is available for sale with clubs available for rent at \$.75 per club. A 30% commission rate is applied to the gross sales of Butler Pitch and Putt to arrive at revenue for the City. Graph 4 below shows the sales of Butler Pitch and Putt and the resulting City revenue for the past three fiscal years. Sales for the golf course follow a seasonal trend and are consistent year to year with FY 1991-92 sales quite similar to those of past years, as can be seen on Graph 5. Graph 6 further illustrates that the golf course sales are seasonally cyclical with the largest percentage of sales during the summer months. Following the graphs, monthly sales and revenue figures for the past three fiscal years can be seen.



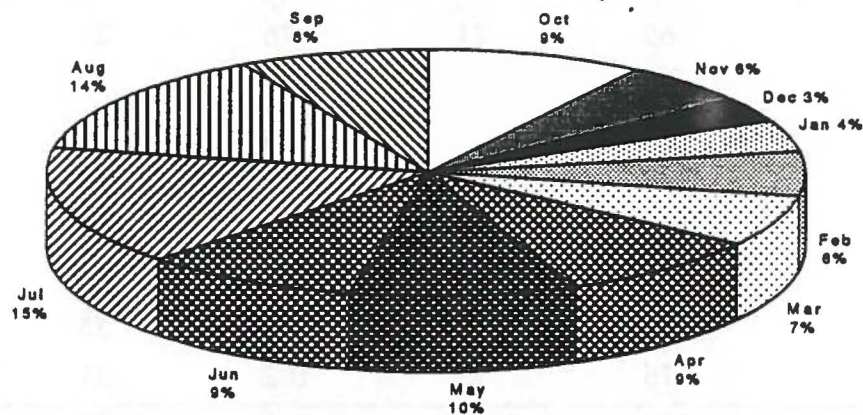
Butler Pitch and Putt  
Graph 4: Sales and Revenue



Graph 5: Sales by Month FYs 1989 - 1992



Graph 6: Sales by Month for FY 1991 - 1992





**Table 3: Butler Park Pitch and Putt Green Fees**

	<i>Sales 89-90</i>	<i>Rev. 89-90</i>	<i>Sales 90-91</i>	<i>Rev. 90-91</i>	<i>Sales 91-92</i>	<i>Rev. 91-92</i>
<i>October</i>	2,703	811	1,952	585	3,060	918
<i>November</i>	1,966	590	2,163	649	1,847	554
<i>December</i>	961	288	1,101	330	1,136	341
<i>January</i>	1,731	519	1,180	354	1,350	405
<i>February</i>	1,883	565	2,052	615	1,972	592
<i>March</i>	2,210	663	3,074	922	2,159	648
<i>April</i>	3,180	954	2,609	783	2,949	885
<i>May</i>	3,410	1,023	2,967	890	3,180	954
<i>June</i>	3,297	989	3,044	913	3,092	927
<i>July</i>	4,168	1,250	4,434	1,330	5,119	1,536
<i>August</i>	3,748	1,124	4,148	1,244	4,608	1,383
<i>September</i>	2,398	719	2,607	782	2,458	737
<b>Total</b>	<b>\$31,652</b>	<b>\$9,495</b>	<b>\$31,329</b>	<b>\$9,399</b>	<b>\$32,930</b>	<b>\$9,879</b>

**Table 4: Butler Park Pitch and Putt Merchandise Sales**

	<i>Sales 89-90</i>	<i>Rev. 89-90</i>	<i>Sales 90-91</i>	<i>Rev. 90-91</i>	<i>Sales 91-91</i>	<i>Rev. 91-92</i>
<i>October</i>	77	23	89	27	92	27
<i>November</i>	85	25	75	23	36	11
<i>December</i>	19	6	31	9	14	4
<i>January</i>	44	13	20	6	34	10
<i>February</i>	69	21	76	23	46	14
<i>March</i>	95	29	131	39	53	16
<i>April</i>	154	46	102	31	100	30
<i>May</i>	135	40	119	36	120	36
<i>June</i>	115	35	126	38	112	34
<i>July</i>	190	57	265	80	229	67
<i>August</i>	261	78	187	56	205	61
<i>September</i>	76	23	102	31	106	32
<b>Total</b>	<b>\$1,320</b>	<b>\$396</b>	<b>\$1,322</b>	<b>\$397</b>	<b>\$1,145</b>	<b>\$342</b>

## **Lone Star Riverboat**

### **Concessionaire**

Mr. Michael K. Pearce  
P.O. Box 160608  
Austin, Texas 78716  
(512) 327-1388

### **Location**

101 South First  
(512) 327-1388

### **Hours of Operation**

Public rides: Tuesday - Sunday 5:30; Friday Night 10:30  
Private charters: on a reservation basis

### **Sign Posted**

Yes

### **General Activities**

Lone Star Riverboat is an old-fashioned style stern paddlewheel riverboat which has been providing rides on Town Lake since 1979. The current owner of the riverboat, Mr. Michael Pearce, purchased the boat from Mr. Jerry Snodgrass in June of 1987. The boat which holds eighty people, is equipped with both men and women's restrooms, and offers full catering and beverage service.

During peak months of June, July, and August, public rides are offered at several times. Narrated tours of the lake, which last 1 1/2 hours, are available to the public Tuesday through Sunday at 5:30 p.m. A "Moonlight Cruise", which is not narrated, is offered on Friday nights at 10:30. Public rides are offered on Saturday and Sunday at 3:00 p.m. during off months. Prices for public rides are as follows: \$8.00 for adults, \$6.00 for seniors, and \$5.00 for children under twelve. Private charters occur on a reservation basis only and constitute approximately 75% of the concession's annual gross receipts. Catering is available on charters.

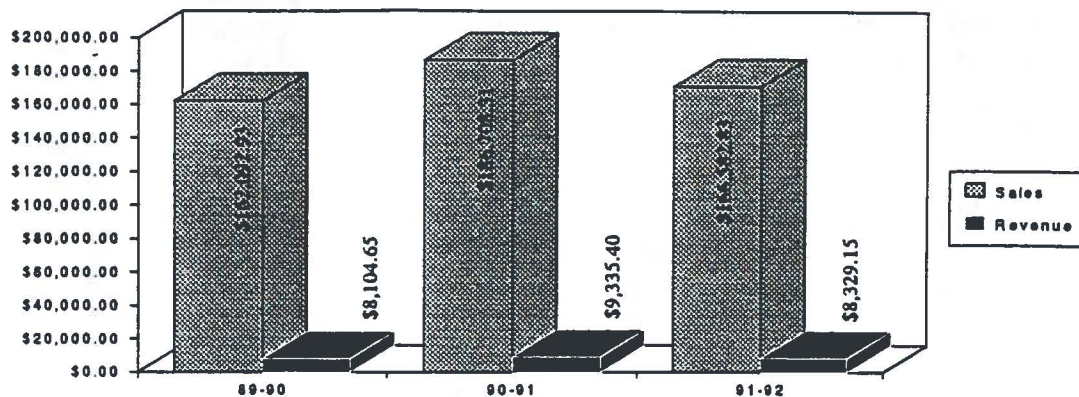
Vandalism problems of past years have been eliminated with the installation of a metal gate and fence which limit access to the boat during off hours. According to Mr. Pearce, vandalism was the biggest problem faced by the concession. With the gate, the only way to board the boat is from the water side so theft has been drastically reduced.

The current contract which expires November 9, 1993 states that the concessionaire will pay the City 5% of gross sales. Graph 7 shows the relationship between sales and revenue for the past three fiscal years. Graph 8 shows that sales follow a seasonal trend with the highest sales in the spring months. This is illustrated in detail in Graph 9 which shows sales by month for FY 1991-92. There were no sales in January or February or the first two weeks in March due to heavy rains. Following the graphs, monthly sales and revenue figures for the past three fiscal years can be seen.

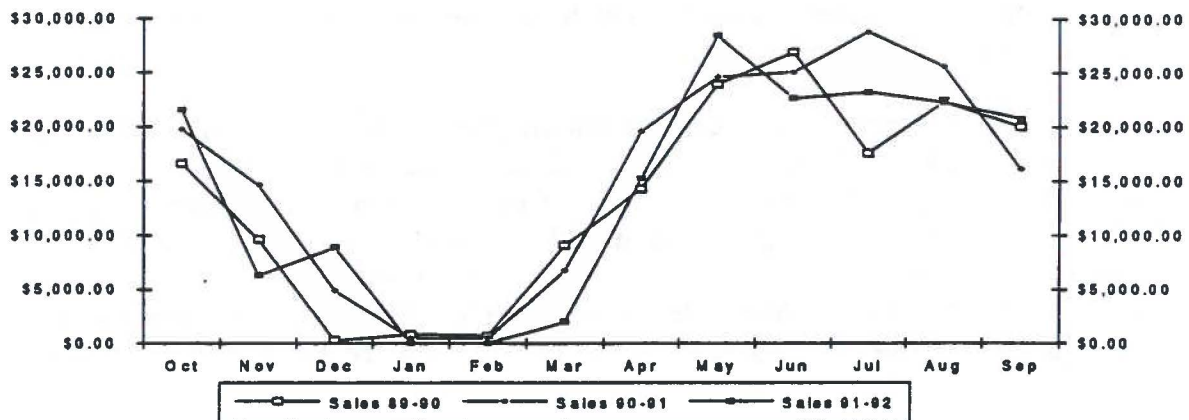


## Lone Star River Boat

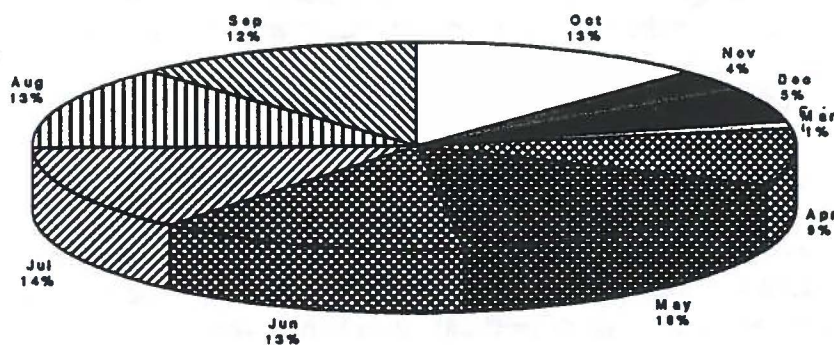
### Graph 7: Sales and Revenue



Graph 8: Sales by Month FYs 1989 - 1992



Graph 9: Sales by Month FY 1991 - 1992





**Table 5: Lone Star Riverboat Sales**

	<i>Sales 89-90</i>	<i>Sales 90-91</i>	<i>Sales 91-92</i>
<i>October</i>	16,618	19,733	21,546
<i>November</i>	9,601	14,624	6,286
<i>December</i>	265	4,862	8,859
<i>January</i>	819	476	0
<i>February</i>	722	512	0
<i>March</i>	9,062	6,734	1,999
<i>April</i>	14,298	19,563	15,260
<i>May</i>	23,899	24,599	28,437
<i>June</i>	26,915	25,056	22,632
<i>July</i>	17,582	28,818	23,183
<i>August</i>	22,334	25,613	22,262
<i>September</i>	19,979	16,119	20,733
<b>Total</b>	<b>\$162,093</b>	<b>\$186,708</b>	<b>\$171,197</b>

**Table 6: Lone Star Riverboat Revenues to the City**

	<i>Revenue 89-90</i>	<i>Revenue 90-91</i>	<i>Rev. 91-92</i>
<i>October</i>	\$831	\$987	\$1,077
<i>November</i>	480	731	314
<i>December</i>	13	243	443
<i>January</i>	41	24	0
<i>February</i>	36	26	0
<i>March</i>	453	337	100
<i>April</i>	715	978	763
<i>May</i>	1,195	1,230	1,422
<i>June</i>	1,346	1,253	1,132
<i>July</i>	879	1,441	1,159
<i>August</i>	1,117	1,281	1,113
<i>September</i>	999	806	1,037
<b>Total</b>	<b>\$8,105</b>	<b>\$9,337</b>	<b>\$8,560</b>

**Table 7: Texas Rowing Sales**

	<i>Sales 89-90</i>	<i>Sales 90-91</i>	<i>Sales 91-91</i>
<i>October</i>	\$2,884	\$2,803	\$1,660
<i>November</i>	1,684	1,730	1,229
<i>December</i>	810	1,621	377
<i>January</i>	1,707	1,104	285
<i>February</i>	2,597	2,585	0
<i>March</i>	1,929	3,422	327
<i>April</i>	2,872	2,742	1,567
<i>May</i>	2,928	2,723	1,227
<i>June</i>	3,820	3,313	1,668
<i>July</i>	3,441	2,581	2,970
<i>August</i>	2,433	3,349	2,172
<i>September</i>	3,062	2,539	2,227
<b>Total</b>	<b>\$30,167</b>	<b>\$30,512</b>	<b>\$15,709</b>

**Table 8: Texas Rowing Revenues to the City**

	<i>Rev. 89-90</i>	<i>Rev. 90-91</i>	<i>Rev. 91-92</i>
<i>October</i>	288	280	166
<i>November</i>	168	173	123
<i>December</i>	81	162	38
<i>January</i>	171	110	29
<i>February</i>	260	259	0
<i>March</i>	193	342	33
<i>April</i>	287	274	157
<i>May</i>	293	272	123
<i>June</i>	382	331	167
<i>July</i>	344	258	297
<i>August</i>	243	335	217
<i>September</i>	306	254	223
<b>Total</b>	<b>\$3,017</b>	<b>\$3,051</b>	<b>\$1,571</b>

## **Town Lake Boat Rentals**

### **Concessionaire**

Mr. Stuart Miller and Mr. Richard Holden  
d.b.a. The Holden Company  
P.O. Box 33213  
Austin, Texas 78764  
(512) 474-5440

### **Location**

101 S. First Street

### **Hours of Operation**

Weekdays: 12:00 p.m. - sunset  
Weekends and Holidays: 10:00 a.m. - sunset

### **Sign Posted**

No

### **General Activities**

Town Lake Boat Rentals was forced to discontinue operations temporarily due to the South First Street bridge renovation beginning in the early Spring of 1991. Although a new site was agreed upon for interim operation near the mouth of West Bouldin Creek pending the bridge completion, the concession has not yet reopened for business and has reported no revenues since the end of FY 1989-90. The Town Lake Boat Rental contract, which expires November 14, 1992, stipulates 2% of monthly gross receipts plus \$1000 annually be paid to the City. Town Lake Boat Rentals did meet these requirements by paying \$1000 to the city in January of 1992. According to Mr. Miller, a lawsuit has been filed by the concessionaires against the State on the grounds of inverse condemnation, relating to expansion of the bridge.



## **Zilker Canoe Rentals**

### **Concessionaire**

Mr. Howard Barnett  
2202-A Homedale Drive  
Austin, Texas 78704  
512-278-3852

### **Location**

West side of Barton Creek immediately  
below Barton Springs Pool

### **Hours of Operation**

March - Labor Day:  
Weekdays: 11:00 a.m. - dusk  
Weekends and Holidays: 9:00 a.m. - dusk  
After Labor Day:  
11:00 a.m. - dusk, weekends only

### **Sign Posted**

Yes

### **General Activities**

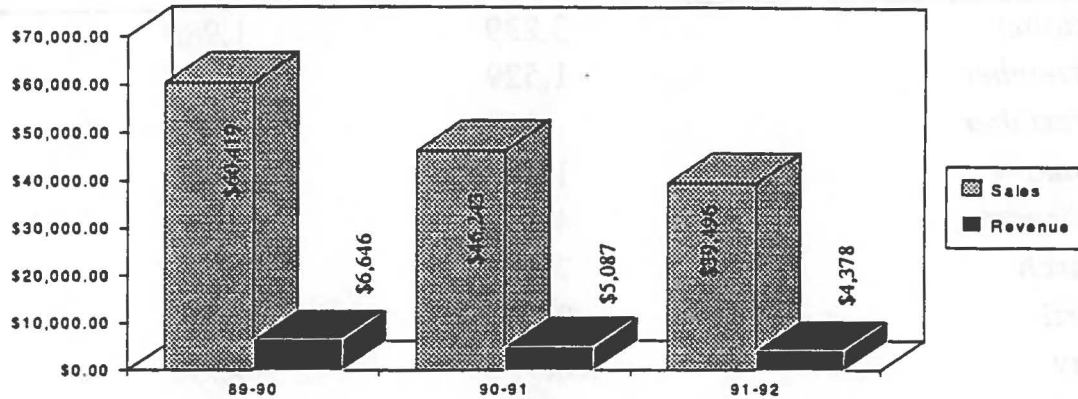
Zilker Canoe Rentals is the City's oldest boating concession. Mr. Howard Barnett started the concession in 1969 and throughout the years has not only provided the City with consistent revenues, but has also provided many boating experiences to groups from various organizations free of charge. Some of these organizations include: the Austin Association for Retarded Citizens, the Austin Public Library System, the Austin Sunshine Camp, the Austin-Travis County Mental Health Mental Retardation Center, the Texas School for the Blind, and the Texas School for the Deaf. By allowing the use of the canoes during non-peak hours to groups such as these, Mr. Barnett has afforded wonderful experiences to many people who would otherwise never have an opportunity to canoe.

Floods during December of 1991 washed away many of Mr. Barnett's canoes as well as the storage building. Most of the canoes were recovered and a new building was purchased. However, the opening of the Mansfield Dam floodgates prevented any business in this area until March. Mr. Barnett is quite optimistic about the future, however, and feels that next year should return to normal since this year's rains have been so far above average. Other than flooding, the only other problems facing the concessionaire are petty vandalism and the daily problem of people throwing rocks at the ducks which congregate in front of the concession.

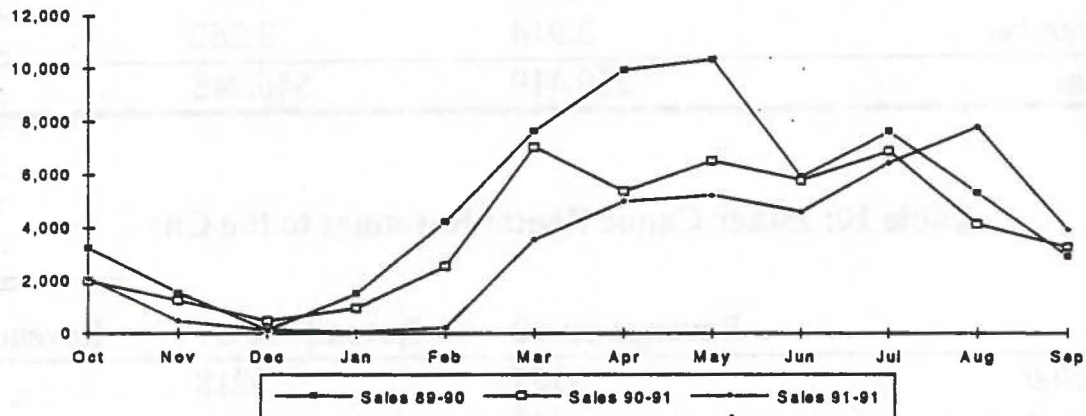
Canoes can be rented for \$6 per hour or \$20 a day. Life jackets are supplied to all renters and required for children under 12. Zilker Park Canoe Rentals' contract which expires on June 8, 1993, stipulates 11% of sales paid to the City. Sales and revenues for the past three years can be seen below in Graph 13 with sales by month in Graph 14. Graph 15 shows the sales by month for the 1991-1992 fiscal year and illustrates how difficult the past year has been. Following the graphs, monthly sales and revenue figures for the past fiscal years can be seen.

## Zilker Canoe Rentals

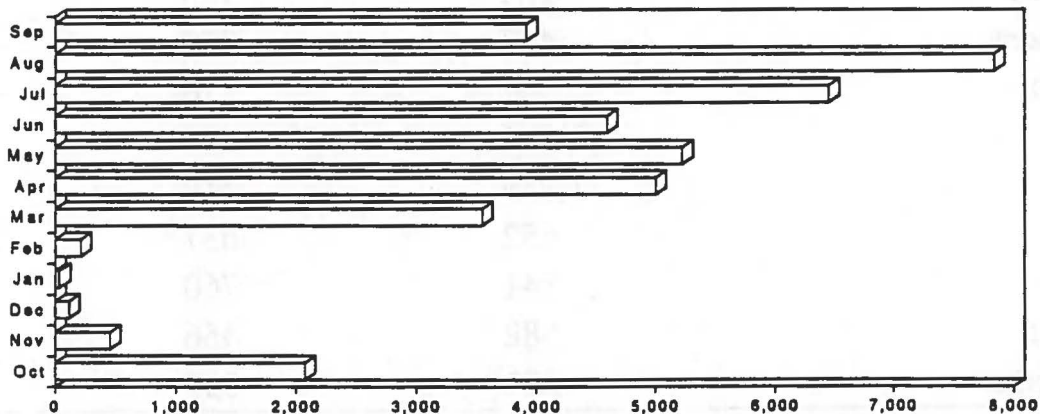
**Graph 13: Sales and Revenue**



**Graph 14: Sales by Month FYs 1989-1992**



**Graph 15: Sales by Month for FY 1991-1992**





**Table 9: Zilker Canoe Rental Sales**

	<i>Sales 89-90</i>	<i>Sales 90-91</i>	<i>Sales 91-91</i>
<i>October</i>	3,229	1,980	2,075
<i>November</i>	1,529	1,245	456
<i>December</i>	119	453	115
<i>January</i>	1,502	955	36
<i>February</i>	4,242	2,540	212
<i>March</i>	7,656	7,054	3,555
<i>April</i>	9,963	5,380	5,004
<i>May</i>	10,352	6,532	5,200
<i>June</i>	5,925	5,790	4,500
<i>July</i>	7,647	6,908	6,457
<i>August</i>	5,342	4,144	7,840
<i>September</i>	2,914	3,262	3,924
<b>Total</b>	<b>\$60,419</b>	<b>\$46,243</b>	<b>\$39,496</b>

**Table 10: Zilker Canoe Rental Revenues to the City**

	<i>Revenue 89-90</i>	<i>Revenue 90-91</i>	<i>Revenue 91-92</i>
<i>October</i>	\$355	\$218	\$229
<i>November</i>	168	137	50
<i>December</i>	13	50	13
<i>January</i>	165	105	4
<i>February</i>	467	279	23
<i>March</i>	842	776	391
<i>April</i>	1,096	592	550
<i>May</i>	1,139	719	575
<i>June</i>	652	637	505
<i>July</i>	841	760	743
<i>August</i>	588	456	862
<i>September</i>	321	359	432
<b>Total</b>	<b>\$6,647</b>	<b>\$5,088</b>	<b>\$4,377</b>



## **Zilker Eagle Railroad**

### **Concessionaire**

Mr. Charles Beall  
1301 Capitol of Texas Hwy, Suite B-125  
Austin, Texas 78746  
512-327-1000 Office  
512-478-8167 Train Station

### **Hours of Operation**

11am - Dusk, Daily

### **Location**

Zilker Park  
Train Station located next to playscape.

### **Sign Posted**

Yes

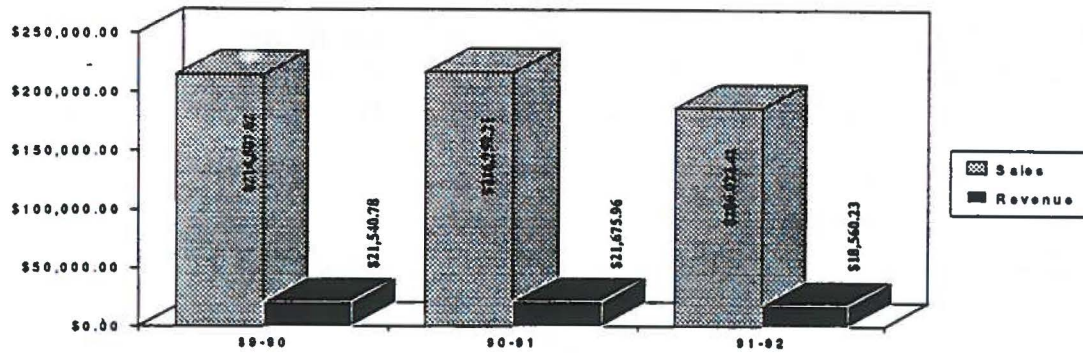
### **General Activities:**

Zilker Eagle Railroad provides rides around Zilker Park on a miniature train. The train station is located next to the playscape in Zilker Park. From the station, the train travels across Barton Springs Road around the soccer fields and doubles back to the station. The train is owned by Mr. Charles Beall who has owned the train since 1985. Free rides are provided to people from MHMR and Sunshine Camp.

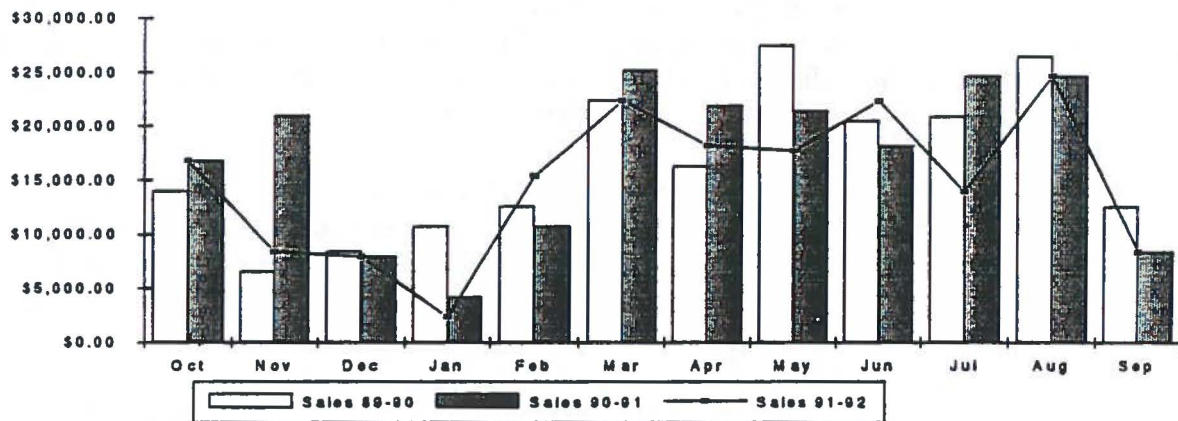
Usually high sales in the summer provide a buffer to make it through the slow winter months although this summer has been slightly slower than in past summers. The decrease in ridership has been attributed the lengthy period of time when Barton Springs Pool was closed. During the last weeks of September, the train was closed so staff could make needed mechanical repairs.

Zilker Eagle Railroad's contract which expires on April 30, 1994, with a five year extension option, stipulates that 10% of sales are to be paid to the City. Graph 16 illustrates the sales and revenues over the last three fiscal years. The monthly sales are shown in Graph 17 and the monthly sales for the last fiscal year (91-92) is illustrated in Graph 18. The figures in the graphs are representative of combination of both ticket sales and souvenir sales.

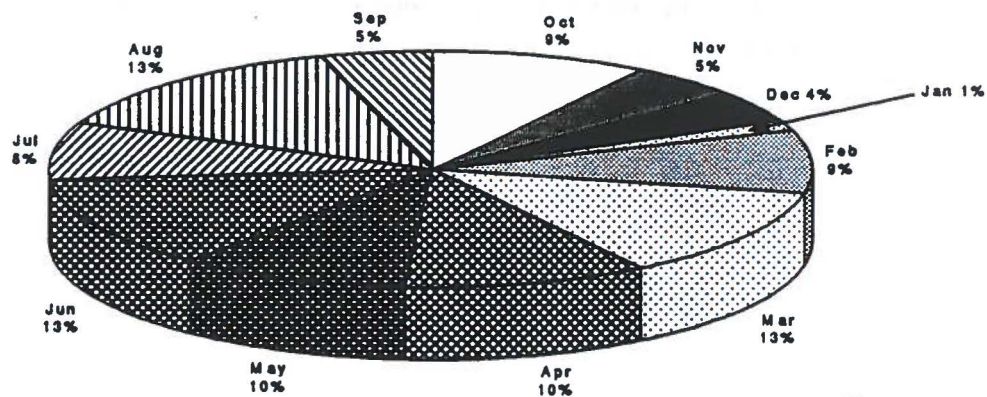
**Zilkere Eagle Railroad**  
**Graph 16: Sales and Revenue FYs 1989-1992**



**Graph 17: Sales by Month FYs 1989-1992**



**Graph 18: Sales by Month for FY 1991-1992**





**Table 11: Zilker Eagle Railroad Ticket Sales**

	<i>Sales 89-90</i>	<i>Rev. 89-90</i>	<i>Sales 90-91</i>	<i>Rev. 90-91</i>	<i>Sales 91-92</i>	<i>Rev. 91-92</i>
<i>October</i>	\$14,000	\$1,400	\$16,800	\$1,680	\$16,800	\$1,680
<i>November</i>	6,540	654	21,000	2,100	8,400	840
<i>December</i>	8,400	840	7,940	794	7,940	794
<i>January</i>	10,740	1,074	4,200	420	2,340	234
<i>February</i>	12,600	1,260	10,740	1,074	14,940	1,494
<i>March</i>	22,400	2,240	25,200	2,520	22,400	2,240
<i>April</i>	16,340	1,634	21,940	2,194	18,200	1,820
<i>May</i>	27,540	2,754	21,480	2,148	17,740	1,774
<i>June</i>	20,540	2,054	18,200	1,820	22,400	2,240
<i>July</i>	21,000	2,100	24,740	2,474	14,000	1,400
<i>August</i>	26,600	2,660	24,740	2,474	24,740	2,474
<i>September</i>	12,600	1,260	8,400	840	8,400	840
<b>Total</b>	<b>\$199,300</b>	<b>\$19,930</b>	<b>\$205,380</b>	<b>\$20,538</b>	<b>\$178,300</b>	<b>\$17,830</b>

**Zilker Eagle Railroad Souvenir**

	<i>Sales 89-90</i>	<i>Rev. 89-90</i>	<i>Sales 90-91</i>	<i>Rev. 90-91</i>	<i>Sales 91-91</i>	<i>Rev. 91-92</i>
<i>October</i>	\$953	\$95	\$1,091	\$109	\$583	\$58
<i>November</i>	883	88	810	81	274	27
<i>December</i>	422	42	501	50	205	20
<i>January</i>	728	73	309	31	238	24
<i>February</i>	998	100	734	73	463	46
<i>March</i>	1,004	100	1,528	153	1,095	109
<i>April</i>	1,913	191	1,173	117	789	79
<i>May</i>	1,825	183	1,133	113	811	81
<i>June</i>	2,040	204	1,206	121	730	73
<i>July</i>	1,889	189	1,424	142	976	98
<i>August</i>	1,574	157	979	98	807	81
<i>September</i>	979	98	490	49	331	33
<b>Total</b>	<b>\$15,208</b>	<b>\$1520</b>	<b>\$11,378</b>	<b>\$1137</b>	<b>\$7,302</b>	<b>\$729</b>



## **Austin Aqua Festival**

In 1990, the City of Austin entered into a 15 year term License Agreement with Austin Aqua Festival (AAF). This agreement allows Aqua Festival permission to use Auditorium Shores and a portion of Town Lake for no more than forty days each year to hold nine days of festival activities.

As compensation, Aqua Festival is to pay the City an amount equal to the greater of seven percent (7%) of annual Aqua Festival gross receipts (excluding parking receipts) or \$130,000. This payment for 1991 to the City was \$130,605, which was based on \$1,865,786 in revenues. The festival held in 1992 experienced lower than projected attendance, as a result revenues are expected to be lower than in 1991.

Particular concerns associated with the 1992 Festival included traffic control measures especially in near by neighborhoods, noise-levels and occasional conflicts between users of the hike and bike trail and the Festival events. Each year Parks and Recreation officials meet in late October with Austin Aquafest officials to discuss and resolve complaints from citizens. Last year Austin Aquafest officials meet with neighborhood residents to discuss ways of meeting traffic concerns.

Immediate Overall Major Goals for 1992

1. Advocate for passage of the Parks Bond Propositions on the next bond election.

&

(Status: 100% completed.)

2. Create financial mechanism for receiving and managing private assets to benefit Austin Parks and Parks programming.

(Status: Beverly Griffith to make a report on the proposed Austin Parks Foundation at the 10/27 PARB Meeting.)

Concessions Committee

1. Study expanding train concession as transportation in Zilker Park.
2. Recommend awarding of contracts for:
  - a. Barton Springs Food and Drink Concession
  - b. Row Boat Concession
  - c. Carousel Concession
3. Refine concession policy and submit it to Austin City Council for adoption.

(Status: Train Concession to expire next year. It may be appropriate to explore transportation issue at that time. Concession policy to be reviewed at public hearing on 11/17 and final PARB vote on 11/24. Concession policy to Council on 12/3.)

Land and Facilities Committee

1. Complete options for separate Bike Trail on Town Lake.
- (Status: Approved Zilker Loop trail extension. No longer looking at separate trails.)
2. Complete Hike and Bike Trail around Town Lake and connections to other trails.

(Status: Approved Zilker Loop trail extension.)

3. Advocate for regular use of CDBG funding for parks projects.

(Status: Progress made. Learned process and rules for developing a plan to restore CDBG funding to park projects.)

4. Study the need for additional public access for the Barton Creek greenbelt.

(Status: Barton Creek Greenway Study and Bond Money to acquire additional greenbelt and public access - needs to be watched for 1993.)

5. Complete Bull Creek greenbelt.

(Status: Progress made with purchase of 151 acre Franklin Tract - need to move forward to purchase additional parcels to complete greenbelt.)

Add: Additional Land and Facility Goal -

Implement project review process through all phases. Status on all projects in process monthly or quarterly.

Long Range Three to Five Year Goals

1. Complete all facilities and land acquisitions projects approved by voters in the next bond election utilizing CDBG funds were appropriate.

(Status: Bond Election successful. Completion process still needs to be followed.)

Navigation Committee - (discussion postponed until 10/27)

1. Monitor the number of watercraft on Town Lake in order to have information for planning and to prevent overcrowding.

2. Continue working for the removal of safety hazards in Town Lake.

3. Support the increase of at least one additional officer on Lake Austin, particularly during the high level months of activity.

4. Work to develop a plan for the emergency closing of Lake Austin by boat and recreation traffic during emergency situations by the Park Police.

5. Identify safety hazards on Lake Austin by monitoring Lake Austin with Park Police and receiving their input.

6. Study the need for additional public access on Lake Austin.

7. Stress the continued decrease of gasoline powered engines on Town Lake and monitor the use of power boats on the lake. Request electric motors to be used when possible.

8. Decrease the number of waivers issued for the use of gasoline powered boats on Town Lake.

Program Committee (discussion postponed until 10/27)

1. Support and coordinate private fund raising for the benefit of PARD's public service goals.

2. Encourage citizen volunteer work in parks, playgrounds, pools and recreation centers working with individuals and organizations such as the Volunteer Center and Red Cross.

3. In order to advise the Manager and Council in a more informed way, review a monthly plan to actual summary of the current budget. The format should compare actual to approved expenditures.

4. Continue to monitor the at-risk youth, and recreation programs to evaluate where community resources can be utilized.



5. Identify ways to work with AISD for joint use of programs and facilities, especially for the summer playground program.
6. Emphasize youth programs for special needs children i.e., wheel chair bound, physical and mental disabilities.
7. Ensure public information staff, assist with all public relation for all youth programs.
8. Encourage involvement with youth athletic council.

10-10-92

CDM

PROPOSAL =

HELGA WILLIAMS  
CONSTRUCTION DESIGN  
AND MANAGEMENT  
AU 1502 WEST 5th N-23  
AUSTIN, TEXAS 78703  
(512) 478-5425

## ZILKER PARK TASK FORCE

TO ESTABLISH A 10 YEAR ZILKER  
PARK MASTERPLAN USING "PROGRAM  
EVALUATION AND REVIEW TECHNIQUE" (PERT)  
AND "CRITICAL PATH METHOD" (CPM) TO  
ASSIST THE PARKS & RECREATION DEPT.  
AND THE PARKS BOARD IN ESTABLISHING  
DETAILED GUIDELINES FOR SUCCESSFUL  
AND ENVIRONMENTALLY SENSITIVE  
DEVELOPMENT FOR ALL PARKLAND IN  
AUSTIN:

### 1) PARK INFRASTRUCTURE:

- A.) INTEGRATION OF FACILITIES FOR  
CHILDREN OF ALL AGES, FAMILIES,  
THE ELDERLY, AND HANDICAPPED.
- B.) PUBLIC EDUCATION - EXHIBITS,  
WORKSHOPS, PUBLIC SCHOOL INVOLVEMENT,  
HEALTH, ENVIRONMENT, ARCHITECTURAL  
AND INDUSTRIAL DESIGN COMPETITIONS  
IN REGARD TO EXISTING FACILITIES  
AND EQUIPMENTS, ETC.
- C.) REDUCED FEES FOR LOW INCOME
- D.) ADVERTISING AND MARKETING  
TOGETHER WITH HOTELS AND THE



CONVENTION CENTER TO UTILIZE  
PARK FACILITIES ESPECIALLY IN  
THE SLOW SEASON TO ADD REVENUE

E.) CONCESSIONS

F.) PARK TRAFFIC ANALYSIS AND  
TRANSPORTATION FROM THE CONVENTION  
CENTER AND HOTELS - OTHERS  
THAN WITH CARS OR BUSES.

G.) PLANTS AND ANIMALS IN THE  
PARK AND ITS CONSERVATION  
AND ECOLOGICAL IMPACT.

## 2) EXISTING FACILITIES & EQUIPMENT:

### A. BUILDINGS:

CONDITIONS AND IMMEDIATE REPAIR  
NEEDED, AS WELL AS FUTURE REPAIR  
FOR THE NEXT 10 YEARS (CRITICAL PATH  
METHOD) AND ENHANCEMENT AND  
UTILIZATION OF BUILDINGS &  
FACILITIES TO ITS FULL EXTENT.

### B. LAND & STREETS:

GROUND EROSION, TREES, LANDSCAPE,  
STREETS, PARKING LOTS, ETC..

### C. EQUIPMENT:

PICNIC AREAS, PLAY GROUNDS, GARBAGE-



COLLECTION - GARBAGE CANS AND  
RECYCLING, ETC..

D. MECHANICAL IMPROVEMENTS -  
(SOLAR POWER INVESTIGATION) FOR  
MAINTENANCE, TRAIN, LIGHTING, ETC..

### 3.) BUDGET (C.P.M.)

(INCLUDING LABOR, MATERIAL AND  
DURATION OF WORK (L.M.&D.))

A. REPAIR L.M.&D.

B. REGULAR MAINTENANCE L.M.&D.

C. PREVENTIVE MAINTENANCE L.M.&D.

D. IMPROVEMENTS L.M.&D.

E. ADDITIONAL MAINTENANCE AT SPECIAL  
EVENTS L.M.&D.

F. LANDSCAPE & TREE MAINTENANCE L.M.&D.

G. GARBAGE COLLECTION & RECYCLING L.M.&D.

H. PARK STAFF TRAINING PROGRAMS AND  
WORK MORAL IMPROVEMENTS.

I. CONSTRUCTION PROCEDURES, COORDINATION  
AND SUPERVISION

J. SECURITY

HELGA WILLIAMS  
CONSTRUCTION DESIGN  
AND MANAGEMENT  
1502 WEST 5th N-2  
AUSTIN, TEXAS 78703  
(512) 478 - 5425

#### 4) ZILKER PARK FOUNDATION

- A. TO FORM A LINK TO THE PARKS DEPARTMENT  
ADJUSTING PERFORMANCE OF THE  
MASTERPLAN ACCORDING TO ITS  
EXECUTION, PROGRESS, AND  
EXPERIENCE.
- B. TO HELP WITH EXHIBITS & WORKSHOPS
- C. TO HELP ORGANIZE EVENTS
- D. TO RAISE ADDITIONAL MONEY NEEDED

#### PROPOSED TASK FORCE MEMBERS:

WITH PROFESSIONAL BACKGROUND,  
REPRESENTATIVES OF DIFFERENT MINORITY  
GROUPS AND ENVIRONMENTAL INTEREST:  
ARCHITECTURE, MAINTENANCE, CONSTRUCTION,  
LANDSCAPE, MECHANICAL AND CIVIL  
ENGINEERING, PHYSICIAN, EDUCATOR,  
BIOLOGIST, ECOLOGIST, ETC...

PROPOSED NUMBER OF TASK FORCE  
MEMBERS: 8